

A. STATE-AT-A-GLANCE

1) Program Operation	State-administered; 6 regional offices
2) Number of Local Offices (excluding Agencies under Cooperative Agreements)	None
3) Type of Agencies with Cooperative Agreements	Attorney General's Office
4) Uniform Interstate Family Support Act	Passed 2/96; effective 4/28/96; fully implemented 7/1/96
5) Agreements With Tribal Entities	No
6) Age of Majority for Termination of Support	Child's 18th birthday, or when child graduates with high school class; unless court order specifies otherwise
7) Statutes of Limitation:	
• Collection of Past Due Support	8 years
• Paternity Establishment	Child's 18th birthday; 4 year statute of limitations on arrearages when establishing paternity
Dormancy Revival/Renewal Possible [yes/no]	Statute of limitations stops running when the non-custodial parent leaves Utah Judgments may be renewed in some cases
8) Guidelines	Income shares
9) Interest Rates on	
• Missed Payments	Not currently
• Retroactive Support	Not currently
• Adjudicated Arrearage	Federal post-judgment rate plus 2% on judgments. Rate changes each January
10) Arrearage Collections for Non- minor Child(ren)	Yes, if custodial parent applies for IV-D non-AFDC services
11) Distribution Scheme	
• AFDC Arrears	Current support satisfied first (if multiple cases, proportionately among the cases); then to Utah's AFDC arrears; then to non-AFDC arrears, then to other state's arrears

	• Non-AFDC Arrears	After Utah's AFDC arrears (see above)
12)	Procedures Regarding Medical Support Using Income Withholding	Yes
13)	New Hire Reporting	Receive quarterly match from state Job Service office
14)	Recovery of Costs Elected Under State Plan	Charge custodial parent for payment processing (not on incoming interstate cases), recover from non-custodial parent
15)	Recovery of Costs for Initiating State	Costs for genetic testing; pregnancy/delivery costs
16)	Long-Arm Statute/s Citation/s	UCA 78-27-24, 78-45a-2, 7845e-1through4
17)	Automated Locate Resources	Job Service, IV-A, Worker's Compensation, Credit Bureau, FPLS, DMV, driver's license, NLETS, Adult Probation & Parole, criminal, vital statistics, Salt Lake county jail, marriage licenses
18)	Enforcement Options	
	• State Income Tax Refund Intercept	Yes
	• License Revocation/ Suspension	Yes, driver's license suspension by judicial order
	• Administrative Liens	Yes
	• Property Seizure & Sale	Yes
	• State Funds/Benefits (please specify)	Unemployment compensation, workers compensation
	• Other (please specify)	Bank accounts
19)	Spousal Maintenance Orders <i>(specify yes or no)</i>	
	• Establish	No
	• Enforce	Yes, if accompanied by a child support obligation
	• Modify	No
20)	Current Spouse/Partner Information Required	Yes

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	Amends 62a-11-305 Enacts 77-31a-100-103, 201-209, 301-319, 401, 501-502, 601-612, 701, 801-802, 901
2) Effective Date	April 28, 1996
3) Adopted Verbatim? If no, list differences.	No Rule of Evidence and Procedures
4) Repeal URESA?	No
5) Repeal IWW?	No

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Noticed to Withhold (NTW)
2) Income Withholding Procedures	
• State Withholding Limits	50% of disposable income after mandatory deductions; up to 65% in some cases
• Fee Charged by Employers	May charge \$10.00 per month
• Date to Remit	10 days from date non-custodial parent is paid
• Penalty	Liability for late payments is \$50, or 10% of the withheld amount for each late payment, whichever is greater Liability for willfully failing to withhold is \$1,000, or the accumulated amount which should have been withheld, whichever is greater
3) Definition of Employer	Employer or any person who is a source of income to non-custodial parent
4) Included Income	Earnings or compensation paid or payable for personal services, such as wages, salary, commission, bonus, or contract payment. Includes future wages, salary, etc. Also includes all gain derived from capital assets (i.e. stocks, mutual funds); payments made under pension or retirement programs or insurance policies; unemployment compensation; and, workers compensation
5) Excluded Income	Means tested income (i.e AFDC, SSI)
6) Direct Income Withholding for	

Unemployment Compensation, include address	No, send withholding request to Utah IV-D
7) Direct Income for Workers' Compensation, include address	No, send withholding request to Utah IV-D
8) Direct Income Withholding, other income sources subject to, include address	Employers only
9) Direct Income Withholding, list Other Income Sources NOT subject to	See above
10) Federal Withholding (See Federal Pay Agents Section)	IV-D Directors need not answer this question.
11) Procedures for Contesting Income Withholding	Yes
12) Arrearages through Income Withholding	Yes
13) Enforcing Against Non-Resident Obligor Asset/Income	Yes
14) Exception to Immediate Withholding	Yes
15) Multiple Obligations Withholding Priorities	
• Policy	Yes
• Priority	Yes
• Assistance	Utah IV-D may assist
• Allocation	Applies first to current, proportionately among cases, then to Utah's AFDC arrears, then to non-AFDC arrears, then to other state's arrears

D. PATERNITY

1) Interstate Paternity Procedures	Yes
Consent Orders Obtained	Yes
2) Uniform Parentage Act	Yes
3) Uniform Act on Blood Testing	Yes
4) Parentage Order Available	Yes

Without Order for Support	
5) Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	No
6) Genetic Test Results as Presumption of Paternity	Yes
Threshold	99%
7) Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	Rebuttable
8) Marriage as Presumption of Paternity	Yes
9) Putative Father's Name on Birth Certificate, Effect of	Father must provide written consent to have his name included on the birth certificate
10) Other Statutory Presumptions	No
11) Recognition of Common Law Marriage	Yes, paternity must still be legally established; determination of common law marriage must be made during the relationship or 1 year after its termination
12) Personal Appearance of Witness or Custodial Parent Required	No
Acceptable Methods of Testimony	Depositions and interrogatories
13) Long-Arm Statute	UCA 78-45e-1 through 4 UC62A-11-304.2
14) Assistance to Other States Using Their Long-Arm Statutes	
• Service of Process	Contact local county sheriff's office
• Genetic Testing	Coordinate through Genetic Design Inc. for local draw site
15) Recovery of Genetic Testing Costs for Other States	Yes

E. SUPPORT ORDER ESTABLISHMENT

1) Interstate Procedures	Incoming cases the same as Utah cases; utilize administrative process
2) Income Considered for Setting Support	Compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise; periodic payment pursuant to pension or retirement programs, or

	<p>insurance policies of any type; all gain derived from capital, from labor, or from both combined; profit gained through sale or conversion of capital assets; and income from non-earned sources such as royalties, rents, gifts from anyone, prizes, dividends, severance pay, interest, trust income, alimony from previous marriages, annuities, capital gains, social security benefits, workers' compensation benefits, unemployment compensation, disability insurance benefits, and payments from "non-means" tested programs.</p> <p>Income from <u>earned</u> income sources is limited to the equivalent of one full-time job. However, if a parent consistently worked more the 40 hours a week prior to the original order then this income maybe considered in calculating the guidelines.</p>
3) Criteria for Rebuttal	Amount would be unjust, inappropriate, or not in the best interest of the child
4) Support Order for Prior Periods	Yes (4 year limit for paternity establishment cases)

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1) Enforcement for Non-Resident Family	Yes
2) Administrative Procedures and Remedies Available	Yes
3) Judicial Procedures and Remedies Available with Registration	Yes, if unable to proceed administratively

II. ENFORCING OTHER STATES’ ORDERS

4) Administrative Procedures and Remedies Available Without Registration	Unless specifically requested, ORS will not register for modification, but will register for enforcement under UIFSA with the administrative tribunal. All administrative procedures and remedies except modification are available
5) Judicial/Administrative Remedies with Registration	Any, including modification
6) UIFSA/URESA Registration and Enforcement Procedure	Orders can be registered under UIFSA for either enforcement or modification and enforcement
7) Judicial Procedures Required after Registration	Only if administrative procedures are unavailable
8) Uniform Enforcement of Foreign	Yes, but UT gives all orders full faith and credit. UCA 78-22a-

Judgments Act Citation	1-7
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G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1) Jurisdiction Requirements	CEJ analysis per UIFSA
2) Modification Procedures	ORS will, upon written request in non-AFDC cases and without a request in AFDC cases, review child support orders on a three year cycle for possible modification. Reviews can be requested on Utah court orders or Utah administrative orders. Court orders that require modification are referred to the Attorney Generals office. ORS uses current information to determine if the award should be modified to bring the order in compliance with State established guidelines
3) Criteria for Modification	Change (up or down) of at least 25%; however, there are no requirements if modification is only to add a medical provision
4) Criteria for Change of Circumstances	Utah law defines a 25 % change as a change of circumstance and all other issues are dealt with on a case by case basis
5) Frequency With Which Reviews are Conducted	Every 3 years; upon request of the AP, CP, or guardian or other State, on non-AFDC cases
6) Criteria for Review	Automatically reviewed every 3 years on AFDC cases; upon written request by the AP, CP, or guardian or other State, on non-AFDC cases
7) Criteria for Adjustment	See above

H. MULTIPLE ORDERS

ENFORCEMENT AND MODIFICATION

1) Controlling Order	CEJ analysis per UIFSA, UCA 77-31a-205. Order issued in child's current home state; if no order from child's current home state, order most recently entered.
2) Date of Controlling Order	Analysis per UIFSA
3) If No Controlling Order	A new order will be entered
4) Arrears Procedure	All administrative and judicial remedies available

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
Establishment of Paternity and Support	Full URESA	4	A, B
Enforcement of Responding State's Order	Transmittal Copy of Order Payment record if applicable	4	B, C A, B
Modification of Responding States' Orders	Transmittal Copy of Order	4	B, C
Administrative Enforcement of Another States' Order	Transmittal Certified copy of Order Payment record if applicable	4	B, C A, B
Registration for Enforcement of Another States' Order	Transmittal Certified copy of Order Payment record if applicable	4	B, C A, B
Collection of Arrearages in Multiple Orders	Transmittal Certified copies of Orders Payment record if applicable	4	B, C A, B
Uniform Enforcement of Foreign Judgments Act	Transmittal Certified copy of Judgment	4	B,C
Modification of Another State's Order	Transmittal Certified copy of Order	4	B,C
Status Update on an Existing	Transmittal	1	E

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
Interstate Case			
Assistance/Discovery	All documents pertaining to the basis for findings. Court documents need to be certified	1	A, C, D-attor-ney
Quick Locate	Locate Data Sheet	2	E

**A= Notarization by Notary Public; B= Certification by signature of agency official;
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required*

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	LeAnn Wilber Interstate Coordinator, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011
Central Registry	Bruce Black Manager, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011
Interstate Policy Contact (if different)	LeAnn Wilber Interstate Coordinator, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011
Contact for Information Regarding Your States Long Arm Statute and Process	LeAnn Wilber Interstate Coordinator, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011
Contact for Information Regarding Collection and Distribution (State level)	Linda Wiggins Program Coordinator, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011
Contact to Obtain Payment Records	Case worker
Contact to Obtain Copy of Order	Case worker
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no "case" in your State) for	LeAnn Wilber Interstate Coordinator, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011
Service of Process (private process server? If so , list)	Local county sheriff's office
Genetic Testing (e.g. assistance with interstate teleconferencing)	LeAnn Wilber Interstate Coordinator, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011
New Hire Reporting Contact	LeAnn Wilber Interstate Coordinator, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011
Employer Assistance Contact	LeAnn Wilber

	Interstate Coordinator, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011
Telephone Number for Automated Interstate Case <i>Status</i> Requests (if any)	None
Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	Salt Lake 801-536-8500 Ogden 801-626-3475 Layton 801-626-3475 Provo 801-374-7233
Privatization Contact	Tracy Zaelit Contract/Resource Coordinator, Office of Recovery Services, P. O. Box 45011, SLC 84145-0011